

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHELE DAVIS, SCOTT DAVIS,	§
CHERYL GRAY, CHRISTOPHER	§
GRAY, VIRGINIA MARIONI,	§ No. 92, 2011
PAULINE SILVESTRI and	§
CHARLES SILVESTRI, on behalf	§ Court Below – Superior Court
of themselves and all others	§ of the State of Delaware,
similarly situated, <i>et al.</i> ,	§ in and for Sussex County
	§ C.A. No. 09C-09-012
Plaintiffs Below,	§
Defendants,	§
	§
v.	§
	§
STATE FARM MUTUAL	§
AUTOMOBILE INSURANCE	§
COMPANY, <i>et al.</i> ,	§
	§
Defendants Below,	§
Appellees.	§

Submitted: September 21, 2011

Decided: September 26, 2011

Before **HOLLAND, JACOBS** and **RIDGELY**, Justices.

O R D E R

This 26th day of September 2011, the Court having considered this matter after oral argument and on the briefs filed by the parties has assumed, under the facts of this case, that the filed rate doctrine does not apply, and that the Superior Court had jurisdiction to decide the merits of the plaintiffs' claims. We have concluded that the Superior Court's decision on the merits

should be affirmed for the reasons stated in and on the basis of its opinion dated February 15, 2011.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice